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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/605,474	10/01/2003	Philip Kortum	1033-T00523	2473
60533	7590	06/27/2007		
TOLER SCHAFFER, LLP 8500 BLUFFSTONE COVE SUITE A201 AUSTIN, TX 78759			EXAMINER NANO, SARGON N	
			ART UNIT 2157	PAPER NUMBER
			MAIL DATE 06/27/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/605,474

Applicant(s)

KORTUM ET AL.

Examiner

Sargon N. Nano

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 April 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 - 20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Response to Amendment

1. This office action is responsive to amendment filed on April 11, 2007. Claims 1, 12 and 16 are amended. Claims 1 – 20 are pending examination.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1 – 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Pearson et al. U.S. Patent No. 6,990,591 (referred to hereafter as Pearson).

As to claim 1, Pearson teaches a material content setting adjustment system comprising:

at least one computer (see fig.1, Pearson discloses a computer connected to a network);

at least one interface facilitating communication between said at least one computer and a network (see fig. 1, Pearson discloses a computer connected to a network);

at least one interface mode adjustment switch having a plurality of physical operating mode positions (see col.10 lines 52 – 63 and fig. 4A and 4B, Pearson discloses a user interface displaying set policies of different modes or levels of communication); and

a controller coupled to said at least one physical interface mode adjustment switch and selectively determining passage of material content between said at least one computer and said at least one interface in response to position of said at least one interface mode adjustment switch wherein the at least one interface mode adjustment switch is dedicated for use with the controller to selectively determine passage of material content (see col.10 line 2 – col. 11 line 20, Pearson discloses a user selectable buttons which determine multiple level of communication security) .

As to claim 2, Pearson teaches a system as in claim 1 wherein said at least one interface is an interface selected from at least one of a gateway, a hub, a high-speed communication interface, and a router (see col.6, lines 5 - 20).

As to claim 3, Pearson teaches a system as in claim 1 wherein said controller is contained at least partially within said at least one computer (see figs 4A and 4B).

As to claim 4, Pearson teaches a system as in claim 1 wherein said controller is contained at least partially within said at least one interface (see col. figs. 4A and 4B).

As to claim 5, Pearson teaches a system as in claim 1 wherein said plurality of operating mode positions correspond with a plurality of operating modes of said controller (see col.10 lines 52 - 62).

As to claim 6, Pearson teaches a system as in claim 1 wherein said controller has a plurality of operating modes that comprise modes selected from at least two of a blocking mode, a learning mode, a partially blocking mode, and a non-blocking mode (see col. 11 lines 8 - 21).

As to claim 7, Pearson teaches a system as in claim 1 wherein said at least one interface mode adjustment switch has a firewall activated position and a firewall deactivated position (see col.12 lines 26 – 43).

As to claim 8, Pearson teaches a system as in claim 1 wherein said interface is coupled to said network via a connection selected from at least one of a high-speed communication connection, a digital subscriber line connection, a communications-unity antenna television connection, a satellite connection, a wireless connection, a broadband cable connection, analog connection, and an Internet connection (see fig. 2).

As to claim 9, Pearson teaches a system as in claim 1 wherein said at least one interface mode adjustment switch is a switch selected from at least one of a toggle switch, a rotary switch, a push button switch, a rocker switch, a slide switch, and a keylock switch (see col.10 lines 52 – 63).

As to claim 10, Pearson teaches the method of claim 1 wherein said at least one interface mode adjustment switch is hardware-based (see col.10 lines 52 – 63 and figs. 4A and 4B).

As to claim 11, Pearson teaches a system as in claim 1 wherein said at least one interface mode adjustment switch is mounted in at least one of said at least one

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computer, said at least one interface, and at least one housing (see col. 10 lines 52 – 63 and figs. 4A and 4B).

As to claim 12, Pearson teaches a material content setting adjustment system comprising:

at least one computer (see fig.1, Pearson discloses a computer in a connected to a network);

at least one interface facilitating communication between said at least one computer and a network (see fig.1, Pearson discloses a computer in a connected to a network)

at least one interface mode adjustment switch having a plurality of operating mode selections comprising a learning mode selection (see col. 1 lines 52 – 63 and figs 4A and 4B, person discloses a user interface that displays set policies for different modes or levels of communications); and a controller coupled to said at least one interface mode adjustment switch, having a plurality of operating mode selections, and selectively determining passage of material content between said at least one computer and said at least one interface in response to said plurality of operating mode selections wherein the learning mode the controller is able to reduce the security level for tasks without requiring a user to make adjustment in the interface (see col. 10 line 52 – col. 11 line 20 , Pearson discloses user selectable buttons which determine the security level of communication in a network).

As to claim 13, Pearson teaches a system as in claim 12 wherein said at least one interface mode adjustment switch is software actuated (see col. 3 lines 52 - 67).

As to claim 14, Pearson teaches a system as in claim 12 wherein said plurality of operating mode positions have an on screen representation (see figs. 4A and 4B).

As to claim 15, Pearson teaches a system as in claim 12 wherein status of said at least one interface mode adjustment switch is continuously shown on said at least one computer desktop (see figs. 4A and 4B).

Claims 16 -20 do not teach or define any new limitations above claims 1-15 and therefore are rejected for similar reasons.

Response to Arguments

3. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

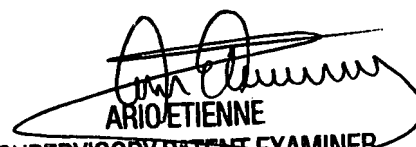
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sargon N. Nano whose telephone number is (571) 272-4007. The examiner can normally be reached on 8 hour.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Sargon Nano
June 20, 2007


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